

# M E E T I N G M I N U T E S

*Meeting:* Evergreen Visioning Project Meeting #20

*Date:* October 6, 2004

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The twentieth meeting of the Evergreen Visioning Project Task Force was held on October 6, 2004 at Carolyn Clark Elementary School at 6:30 PM.

Task Force Attendees: Bill Kozlovsky, Chris Corpus, Dan Jacobs, Elias Portales, Garth Cummings, Gordon Lund, Jenny Chang, Ike White, Khanh Nguyen, Lou Kvitek, Maria Lopez, Caroline Navarro, Jose Aranda, Mark Milioto, Mike Alvarado, Paul Pereira, Scott Nickle, Steve Tedesco, Tom Andrade, Victor Klee, Vince Songcayawon, Tian Zhang, Jim Zito

Members of the public: Rich Leong, David & Helen Marzolf, Rose Garcia, Ruben & Maria Camolinga, Gina Zendejas, Ellie Glass, Carlos Avila, Lisa Bradlau, Jeanette Newman, Bill & Carol Ashman, Jennifer & Luis Dinis, K. Ramnani, Yolanda Amaro, Lynn Hoefflinger, Rajit Shah, Charles Perrotta, Lee & Leah Lowrie, Jan & Frank LaFetra, Beck Mason, Joseph & Josephine Marques, Mary Mirawda, Jasbinder Bhoot, Mel Dutra, Denise Dobrenz, Ethel Williams, Shawna Sanders, Donna White, Gary & Simona Walter, Manuel & Celestina Simon, Steve Howard, Julia Lawrence, Maria Sanchez, Maria Cuellar, Joseph Aranda, Susan Conrow, Doug James, Jerry & Ethel Williams, David Zenker, Andrew & Kim Hatch

## **I. WELCOME AND INTRODUCTIONS**

Councilmember Cortese asked to dispense with introductions in light of the fact that there were many people present at the meeting. He said his intention was to adjourn by 9PM. Members of the public were welcome to speak with him after the meeting. Cortese then gave a background to EVP. He explained that if further infill development is to occur (which it will) in Evergreen, what will it look like? What must we get in return to satisfy community needs? This is the second of two meetings to go through proposals of what sites could look like and measure them against the Guiding Principles. There are 600-700 acres of anticipated developable land in Evergreen. Rather than responding piecemeal to developer requests, the community can look ahead of time and determine our needs now. There are also a set of small miscellaneous properties – we will be examining these in time.

Of the four properties under discussion, three can develop right now. Should they go forward as currently zoned? The exception is the Pleasant Hills Golf Course (PHGC), which is in a county pocket, and the Duino family has recently announced its closure.

## **ii. PROPOSED FIRE STATION**

Deputy City Manager Ed Shikada gave a brief overview of the proposed fire plan for Evergreen. He explained that recent a recent bond campaign generated funds for police and fire services and the city has been hard at work to locate these services. In Evergreen the city has been looking at prospective sites based on the type of services Evergreen might need. Fire Station 31 is Evergreen's latest station. It was a turnkey project, produced out of the Evergreen Specific Plan.

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Shikada then introduced San Jose Fire Chief Jeff Clet, who gave a power point presentation on fire services strategy for Evergreen and the fire masterplan (hyperlink to powerpoint to be added).

Jim Zito asked if with Measure O, the fire services strategy considers the potential addition of 7000 units and what type of service would be needed. Clet responded that one of the primary services consider in the context of development is the addition of fire engines. Zito then asked if an additional 7000 units would trigger the need for another station. Clet said that the masterplan contemplates the full build-out of the city and while all possible resources cannot be known at this time, he does not see the need for an additional station.

Jenny Chang asked if there was a building height requirement for residential development. Clet said not from a fire standpoint but perhaps from a planning standpoint. Ike White asked about Fire Station 21 on Mt. Pleasant Road – where is the station moving to? Clet said staff was looking at the White/Cunningham vicinity. Ellen Glass asked if Fire Station 21 was moving south, would that mean that Fire Station 2 would have more area to cover? Clet said yes, and that 2 would be demolished and rebuilt. David Zanker commented that the response time standards seemed slow. Clet responded that San Jose is quicker than the county ambulance response time – San Jose tries to respond in eight minutes, four minutes to load onto the truck and four minutes travel time. Zanker asked why eight minutes isn't the standard. Clet said that while a four minute travel time is the goal, sometimes when a call comes in the first station to respond is on another call and so a second, farther away station has to respond. This will naturally increase the response time. Cortese said that if there are further questions, the audience is welcome to email them to the District 8 Office and the questions will be processed and responded to.

### **III. REVIEW AND DISCUSS LAND USE ALTERNATIVES AND GUIDING PRINCIPLES**

Cortese explained that the Task Force is an advisory body to work by consensus, not parliamentary voting. The next level of advice (which has already started) after the Task Force level is large town hall meetings. Already there have been house meetings, mention in the Evergreen Times and the San Jose Mercury News as well as a 20,000 piece mailer. After broad input is sought from the community, recommendations will be made by the Planning Commission as well as Planning staff. Ultimately the decision will be made not by the Task Force but by the San Jose City Council.

Laurel Prevetti brought forward a latest version of the Arcadia Property, explaining that a pre-meeting had been held with the LeyVa and Meadowfair neighborhoods to gauge their satisfaction. She explained some of the changes from the previous meeting's iteration, namely, the relocation of the park to the main street to calm traffic, the addition of development and a green strip on the west as a buffer, more definition of the housing type and retail that no longer flanked Quimby only but went deeper along the boulevard. She said that some of the LeyVa/Meadowfair comments were:

1. concern over 3000 units – would like to see a mix of housing that is both rental and ownership, apartment and single-family
2. appreciate well managed affordable housing
3. appreciate central green space
4. locate taller buildings to eastern edge
5. need automobile and pedestrian access to community center
6. special attention to traffic and safety

Prevetti said that there remains more to be done but asked if this was good enough to do additional outreach on. Gordon Lund said it was an improvement over the previous drawing but he would like to see a complete connection of all commercial properties. Tian Zhang asked what the current zoning was for this property. Prevetti said it was a mixture of some housing, office, industrial, etc. Jenny

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Chang asked if build-out could occur with the present zoning – single family homes of 4000 to 6000 square foot lots. Prevetti said potentially but reminded the group that the Guiding Principles called for utilization of transit oriented development (TOD) and that this was really the only site to allow for that. She reminded the group that they had previously been proponents of locating TOD somewhere in Evergreen. Scott Nickle said he would like to see retail along the entire street.

Zhang asked Prevetti to translate the current Arcadia zoning in terms of rough unit counts. Prevetti said it is single family with about 8 dwelling units per acre. The rest is commercial and/or industrial. Zhang asked it can now be justified to increase to 70 dwelling units per acre given the original zoning. Isn't there a reason why the property was originally set at 8 dwelling units per acre? Dan Jacobs said that the 70 du/acre is not for the entire parcel, that an average needs to be considered. Nickle offered that at least 14 acres of the site has no housing (dedicated to green space). Prevetti said that it's best to look by subparcel and that the entire property is not at 70 du/acre. Maria Lopez commented that 3000 units is not consistent with the existing neighborhoods and that there is a desire to see something similar to Santana Row. Prevetti responded that Santana Row is entirely rental and there are a couple thousand units there. She also noted that in the drawing shown on 9/22, the park acreage was at 14.4 but in today's drawing it had gone down to 13 and the community would like to see the higher number brought back, perhaps by removing the green strip buffer.

Lou Kvitek commented that the 65-70 du/acre area lacked a photo. Prevetti said that the developer will be asked to provide one by that the housing type possible here is probably a wood-frame four-story product.

Elias Portales asked about school impact. Tom Andrade said that preliminary studies show .2 students per unit and so EESD could have about half a school worth of kids from this property. Prevetti noted that at a subsequent meeting the relevant school superintendents would be invited to discuss this further.

Kvitek asked if the 3000 was reduced, what effect that would have on the funding for transportation and community improvements. Mike Alvarado commented that questions that have been previously raised have not been answered and raised a series of questions:

1. Is the arcadia still rental only? The task force would like to see some ownership.
2. What is the assumption on availability of mass transit? Do we tie construction groundbreaking to transit availability?
3. How long will Arcadia take to develop?
4. What are other non-retail options for the boulevard?
5. What is the proposed interface with Eastridge Mall?
6. What is the proposed interface with the existing neighborhoods? Do we want four-story buildings next to homes?
7. What is the traffic increase on Quimby and Capitol as a result?

Prevetti commented that it seems the group wants more refinement on this diagram before it is taken out to the public. Zito asked if it made sense to have two sets of drawings – one with low end numbers and one with high end numbers. It seems that we're examining only high end right now. Prevetti said that we need to land on some type of project description for the EIR. Cortese said that there is an arbitrary miscellaneous number – 500 – to take care of the other parcels that haven't yet been discussed. He suggested lowering the units on Arcadia to perhaps increase the 500 on other sites.

Vince Songcayawon said that he agreed with Alvarado, that more ownership needs to be reflected on Arcadia. He would like to see percentages of commercial and percentages of residential and within the latter, percentages for ownership versus percentages for rental. He said that we cannot allow the developers to own all the property and rent it out. Jacobs said that a good, reasonable percentage should be devoted to ownership and asked by a show of hands who wanted rental-only. The majority declined rental-only. Kvitek suggested making everything west of the street ownership and east of the street rental. Alvarado suggested 25% ownership, 25% commercial and 50% rental. Lund asked if the Planning Division had advice on this. He feels the task force is being driven by numbers. What is the quality of life for places to live? Let's focus less on the numbers and more on great places to live.

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Prevetti cited the North Park development on North First Street as a recent success in rental living. Khanh Nguyen suggested determining what the community wants in terms of improvements and then crunching the numbers to meet that value. He suggested cutting the amenities list to 150 and seeing how many units were yielded as a result.

Andrade noted that EESD will need some acreage – hopefully tied to LeyVa Middle School – for a new school. He reiterated the fact that a full school isn't needed.

White commented that rentals scare homeowners and we need to specify what types of rentals will be here. Absentee landlords create eyesore lands. Prevetti said that good maintenance and management of rental complexes can be built into the smart growth strategy.

Jacobs said that the people in the neighborhoods need a commitment for ownership and suggested 20%. Kvitek said that he is concerned with the back and forth iterations. Developers want to make money. The question is what is acceptable to them versus us? What do the developers think about the moving numbers? Bo Radanovich said that it is impossible to show a full and complete plan until the bigger policy issues are hashed out. We are trying to reach a point where we're comfortable with a starting point. Cortese added that the point of this exercise is to say whether or not these plans conform to the Guiding Principles. He recalled Bill Kozlovsky saying at an early meeting that he had concerns with mixing rental and ownership housing. We should now get proposals out to the community that we can say are certified by our Guiding Principles. These plans in theory will come back to the task force with comments by the community. The onus is on the developers to ultimately come back with plans that also conform to the Guiding Principles. Zito said that he has heard three major comments outside of these task force meetings:

1. the number of units is too high and will negatively impact our quality of life
2. change the number of units, thereby reducing money for amenities
3. Evergreen is paying out of its pockets millions to fix highway 101

Zito said that without answers to these questions, how can we move forward with a policy plan?

Cortese said that everyone on the task force said they agreed to the Guiding Principles. Within these it states that 101 has to be fixed, school impact must be addressed, etc. Experts have said that funding at the state level for highway 101 is nonexistent at this point in time. To meet the Guiding Principle about Highway 101, we need to move forward. If the community does not want the 101 improvements then we can all go home now. Zito said that the Guiding Principles also say that we should get a net gain – the traffic data we've seen shows a gain and an average. Cortese said there is the added gain of traffic safety so it depends on how net gain is defined. Mark Milioto said that when the task force was deciding the Guiding Principles, it wasn't known where the money would go. The 101 upgrade is a regional priority and to have to use Evergreen dollars for it is difficult to bear. Radanovich countered that without 101 being fixed, the land use designations cannot change and development can't occur. Kvitek said that no one is disputing that 101 needs to be done, but he feels the idea of its financing coming from elsewhere should be assumed just because the VTA said so, adding that he (Kvitek) had volunteered to work on a subcommittee to vet this issue further. Cortese asked Kvitek if the preference was to have everyone pay for the upgrade (via a sales tax) versus just the new people (via EVP). Further, polling shows little support for a sales tax. Kvitek said he would like to see the polling info, saying that he has nothing to go on except Cortese's word. He expressed concern that Cortese is trying to end the process while others are trying to keep it open. Cortese said that we could take our chances and compete for a piece of sales tax proceeds. Currently the 101 upgrade is ranked high but that could change. Cities to the north and south are lobbying to reprioritize the list because they feel it's weighted too much towards San Jose. Kozlovsky asked why we would want to pay for the upgrade when it could be financed by the new people? Why push for a sales tax? Kvitek asked what would happen if the state could give the money for 101. Radanovich said that if that happened, the developers wouldn't need to go through EVP because the mitigation issue would be resolved. Zhang said she felt there was no guarantee the amenities would come or that our quality of life would improve with the amenities. \*Cortese asked if things would be better with 4.1 million square feet of industrial, which is what the current zoning allows. We can easily shelve EVP and wait for highway 101 money to come but three of the four properties have the entitlements to go forward now.

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*\* At the 11/3/04 Task Force Meeting, Sherry Gilmore asked for a clarification of what the four major opportunity sites could develop into. Here is staff's understanding of what could happen on them under their current General Plans and under current policies:*

Arcadia- The approximately 34-acre portion designated Medium Low Density Residential (8.0 du/ac) could be developed as residential. The balance of the site is designated Public/Quasi-Public, Office and Industrial Park. The site has 217 units of allocation for residential units. It should be noted that Arcadia says it can provide documentation that it has dramatically higher number of allocations for the site than the 217 indicated by staff.

Campus Industrial- 4,055,960 square feet of industrial. No allocation for residential units.

EVCC-Public/Quasi-Public uses or through the discretionary alternate use policy possibly some amount of commercial. Although no allocation for residential units, it is staff's understanding that the district is not obligated to adhere to local general plan/zoning/policies if what is being proposed is an education-related use or facility. The state education code includes dormitories and faculty/staff housing in their definition of "educational facility". Therefore the college's proposal for 700 faculty housing units could go forward without city approval.

Pleasant Hills Golf Course- Private Recreation or Open Space. No allocation for residential units.

Andrade asked if we could get assurance that 101 would be improved quickly. Radanovich said that through the financing district issues like this could be resolved. Andrade recalled that the SCVCC, prior to being constructed, had to put forward funds for public improvements. Radanovich stated that a whole financing and phasing plan would come forward to Council. Lund asked how long it would take to get the money. Prevetti responded that we need start drawings before we can have these discussions. Public Works and Planning cannot have this level of discussion until preliminary drawings are approved. The goal is to have the financing agreement done with the EIR and the ESGS. Kozlovsky said he read through the Guiding Principles and the only one that isn't met is the one that mentions the creation opportunities for ownership and rental. Jacobs asked if the EIR includes the Highway 101 improvements. Radanovich said that the developers have funded the beginning of the EIR for 101. Steve Moore said that he felt the group was backtracking and asked for simultaneous tracks. If down the line another funding source can be determined for 101 then great but for now let's commit to moving forward. Cortese said that the VTA is discussing incentives for reimbursement. He suggested a formal letter from the task force to the VTA, stating that we have funds available now for the improvements but we expect to be reimbursed.

Alvarado said to the Task Force that they need to be more productive. We still haven't had discussion on the PHGC. We need to get to the point of communicating these drawings to the public. Cortese said to the members of the public that they could speak on PHGC, regardless of whether the agenda item was covered. Regarding process, Cortese said that Kozlovsky had the right idea that each property had to be looked at against the Guiding Principles. If you do not agree to the Guiding Principles then you cannot serve on the task force; that was a prerequisite for this process.

White expressed frustration at the fact that the group still hasn't gotten to the PHGC item.

Songcayawon asked if other properties were planning to do ownership, rental or both. Radanovich said that PHGC was planned for sale, the campus industrial was planned for sale, EVC was mixed and Arcadia was what was being discussed now. Songcayawon said that a number should be suggested for Arcadia. Cortese suggested that staff and the developers come back with a number that conforms to the Guiding Principles.

### **III. PUBLIC COMMENTS**

Simon Lopez stated that he had previously heard 1500 units for Arcadia and asked how it had escalated to 3000.

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Gina Gates expressed concern at what she felt was a severe lack of notification with respect to EVP. Referring to a yellow handout, she described several concerns in detail and offered possible solutions.

Jasbinder Bhoot and Mel Dutra expressed concern over the lack of suitable soccer fields in Evergreen and asked that the task force consider including these amenities.

Elly Glass thanked residents from the Pala Rancho Cabana Club for coming out this evening and expressed deep concern over the potential development of PHGC. She said she felt alarmed at what was transpiring with respect to EVP.

Cortese said that all questions from the public would be responded to.

Jacobs asked Cortese to reiterate the role of the Task Force. Cortese said that the task force is advisory and the notion that people are alarmed at what is happening here is misplaced. Cortese added that the next EVP Meeting would be held on 11/3/04.

Cortese announced that an EVP Yahoo Group not initiated by the District 8 Council Office has been circulating. Nickle asked the group who the moderator of this yahoo group was. There was no reply.

#### **IV. NEXT STEPS**

The meeting adjourned at 930PM.